



5:16 pm, 9/23/21

# United States District Court

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For The District of Wyoming

Alan B. Johnson, United States District Judge

**Margaret Botkins**  
**Clerk of Court**

Becky Harris, Courtroom Deputy  
Melanie Sonntag, Court Reporter  
Zigmas Polinauskas, Law Clerk

September 23, 2021  
Cheyenne, Wyoming

Case No. 19-cr-00026-ABJ, 21-cr-00014-ABJ

USA,

Plaintiff's Attorney: Eric Heimann  
Thomas Szott

Plaintiff,

v.

Justin Wallace Herman, Charles Winifred  
Winters, Jr, Ian Horn,

Defendant's Attorneys: Tom Fleener  
Zenith Ward  
Tom Jubin

Defendants.

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## COURTROOM MINUTES JURY TRIAL - Day 3

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8:34 a.m. Court resumes. Jury returns to the courtroom. Alex Scoufis returns to the witness stand. Direct Examination by Mr. Szott continues.  
(Exhibit(s): 503, 504, 505, 312 - received conditionally, 319 - demonstrative only – w/ Examples A, B, C, D and E)

9:48 a.m. Cross Examination of Alex Scoufis by Mr. Fleener.

9:59 a.m. Court recessed for break.

10:21 a.m. Court resumes. Cross Examination of Alex Scoufis by Mr. Fleener continues.

10:40 a.m. Cross Examination of Alex Scoufis by Mr. Ward.

10:53 a.m. Cross Examination of Alex Scoufis by Mr. Jubin.

10:55 a.m. Re-direct Examination of Alex Scoufis by Mr. Szott.

10:58 a.m. **The United States calls Special Agent Jason Berryhill.** Witness placed under oath. Direct Examination by Mr. Heimann.  
(Exhibit(s): 1006, 1008, 100, 101, 5.1, 5.2, 5.4, 5.5, 5.13, 11.1, 11.2, 15.2, 15.3, 19.1, 19.2, 20, 24.1, 24.2, 24.3, 515)

12:11 p.m. Court recessed for lunch.

1:33 p.m. Court resumes. Jury returns to the courtroom. Direct Examination of Special Agent Jason Berryhill by Mr. Heimann continues.  
(Exhibit(s): 516, 102, 5.3, 305, 306, 307, 603)

2:07 p.m. Cross Examination of Special Agent Jason Berryhill by Mr. Jubin.

2:42 p.m. **The United States calls Sonia Hacker.** Witness placed under oath. Direct Examination by Mr. Heimann.  
(Exhibit(s): 3.1, 1002, 22.1, 27.1)

3:01 p.m. Cross Examination of Sonia Hacker by Mr. Ward.

3:02 p.m. Cross Examination of Sonia Hacker by Mr. Jubin.

3:04 p.m. Court recessed for break.

3:27 p.m. Court resumes. Jury returns to the courtroom. **The United States calls Nadine McCreery.** Witness placed under oath. Direct Examination by Mr. Szott.  
(Exhibit(s): 309, 310, 311)

3:59 p.m. Cross Examination of Nadine McCreery by Mr. Fleener.

4:00 p.m. Cross Examination of Nadine McCreery by Mr. Ward.

4:15 p.m. Re-Direct Examination of Nadine McCreery by Mr. Szott.

4:16 p.m. Re-Cross Examination of Nadine McCreery by Mr. Fleener.

4:17 p.m. **Defendant Winters calls Patrick Kelley McCreery.** Witness is taken out of order. Witness placed under oath. Direct Examination by Mr. Ward.

4:51 p.m. Cross Examination of Patrick Kelley McCreery by Mr. Heimann.

4:56 p.m. Re-Direct Examination of Patrick Kelley McCreery by Mr. Ward.

5:01 p.m. Jury given instruction and excused for the day. Matters discussed outside the presence of the Jury.

5:12 p.m. Court recessed until 9/24/2021 at 8:30 a.m.

Day 3 witnesses:

Alex Scoufis

Special Agent Jason Berryhill

Sonia Hacker

Nadine McCreery

Patrick Kelley McCreery